

REMARKS

Favorable reconsideration of this application, as amended, is respectfully requested.

The rejection of Claim 5 under 35 U.S.C. § 102(b) as being anticipated by the Japanese reference No. 49-25957 is respectfully traversed.

The deficiencies of JP '957 are discussed on page 3 of Applicant's specification. As is apparent from Figs. 3-6 of the Japanese reference, slits extend almost the entire axial length of the shank, which reduces the strength of the shank. When a tapping screw is screwed in, there is insufficient resistance to the fastening torque, so that the tapping screw cannot be secured properly, and the joining force is not high.

Claim 5 clearly recites that the shank is divided by a plurality of slits extending axially of the screw grommet along only a portion of the axial length of the cavity in the shank. It is apparent in Figs. 4-6 of JP '957 that the slits extend along the entire length of the cavity. Indeed, they define the cavity. This fact is ignored in the rejection of Claim 5 under 35 U.S.C. § 102(b).

The rejection of Claims 5-9 under 35 U.S.C. § 103(a) as being unpatentable over Kojima in view of JP '957 is respectfully traversed. The text of the rejection

acknowledges that Kojima does not disclose axial slits dividing the sides along only a partial length and relies upon the Japanese reference to cure this deficiency. As pointed out above with regard to the rejection of Claim 5 under 35 U.S.C. § 102(b) based on the Japanese reference, JP '957 does not teach a plurality of slits extending axially of the screw grommet only along a portion of the axial length of the cavity. Accordingly, Claim 5 and dependent Claims 6-9 clearly distinguish patentably from the proposed combination of Kojima and JP '957.

The rejection of Claims 3, 9, and 10 under 35 U.S.C. § 103(a) as being unpatentable over Kojima in view of JP '957 or the Japanese reference alone and further in view of Tinnerman is respectfully traversed. Claim 3 recites, inter alia, that the slits terminate at about the middle of the axial length of a portion of the cavity engaged by threads of the screw, and that a section of the cavity extending axially without slits toward the tip of the shank has a length able to accommodate at least one pitch length of the screwed in tapping screw.

The rejection acknowledges that neither Kojima as modified by JP '957 nor JP '957 alone discloses slits extending only to the middle of the shaft such that the slits extend over about half the length of a tapping screw,

and relies on Tinnerman to cure this deficiency. This proposed combination of references is untenable. First of all, as noted above, Claim 3 recites a relationship between the termination of the slits and the axial length of a portion of the cavity engaged by the threads of the screw (not the shaft). Neither Kojima nor JP '957 discloses this relationship. Second, in Tinnerman, the cavity that receives the screw is the bore 14, and there are no slits. Reference numeral 14a designates a channel through which a screw passes to engage the bore 14. No one of ordinary skill in the art could find any reasonable basis for attempting to combine features of Tinnerman with the entirely different kinds of fasteners disclosed by Kojima and the Japanese reference.

Features of the invention recited in Claim 3 are shown, for example, in Fig. 6 of Applicant's drawings, and are described in the paragraph bridging pages 10-11 of Applicant's specification. Nothing of the sort is even remotely suggested by the prior art, and certainly not by the proposed unreasonable combination of references.

Claims 9 and 10, dependent indirectly upon base Claim 5, distinguish patentably from Kojima and JP '957 for the reasons stated with regard to Claim 5. Tinnerman adds

nothing relevant to Kojima or JP '957, as stated above with regard to Claim 3.

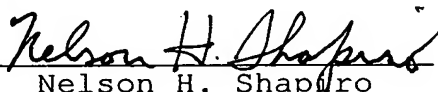
This application is now believed to be clearly in condition for allowance.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

NHS:lmb

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